

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARLING REYNOLDS.

Plaintiff,

1

MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration,

Defendant.

CASE NO. 11-CV-05185 JRC

ORDER

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local

17 Magistrate Judge Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate)

18 || Judge and Consent Form, ECF No. 5; Consent to Proceed Before a United States Magistrate

19 Judge, ECF No. 8.) This matter is before the Court on defendant's stipulated motion to remand.

20 the matter to the administration for further consideration. (ECF No. 19.)

After reviewing the stipulated motion and the remaining record, the

After reviewing the stipulated motion and the remaining record, the Court grants the

²² motion to reverse and remand, and reverses and remands this matter to the administration,

1 pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings, including
2 the following actions:

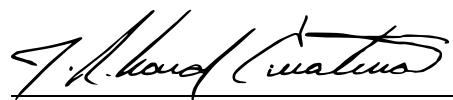
- 3 • The Administrative Law Judge assigned to this matter following remand (“the ALJ”) will
4 conduct a new hearing, further develop the record and issue a new decision;
- 5 • The ALJ will re-evaluate and further develop the medical evidence and record;
- 6 • The ALJ will re-evaluate steps two and three of the sequential evaluation process;
- 7 • The ALJ will obtain a physical consultative examination;
- 8 • The ALJ will re-evaluate plaintiff’s residual functional capacity (“RFC”) pursuant to
9 Social Security Ruling (“SSR”) 96-8p;
- 10 • The ALJ will re-evaluate steps four and five with the assistance of a vocational expert, if
11 necessary.

12 The ALJ should take any other actions necessary to develop the record. In addition,
13 plaintiff should be allowed to submit additional evidence and arguments to the ALJ on remand.

14 The parties agree that reasonable attorney fees should be awarded, following proper
15 application, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

16 Given the facts and the parties’ stipulation, the Court hereby orders that the case be
17 **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g). Judgment is
18 for plaintiff and this case should be closed.

19 Dated this 12th day of September, 2011.

20
21
22 
23 J. Richard Creatura
24 United States Magistrate Judge